

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES ALLEN KINNEY,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

CASE NO. 2:24-cv-01680-DGE

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation (which did not address the issues raised in the Report and Recommendation), and the remaining record de novo, does hereby find and ORDER:

- (1) The Court ADOPTS the Report and Recommendation. (Dkt. No. 4.)
- (2) Petitioner's proposed petition is second or successive and is therefore DISMISSED without prejudice in accordance with 28 U.S.C. § 2244(b)(3)(A).
- (3) A certificate of appealability is DENIED in this case.
- (4) The Clerk is directed to send copies of this Order to Petitioner and to the Hon. David W. Christel.

DATED this 19th day of November, 2024.

A handwritten signature in black ink, appearing to be 'D. Estudillo', written over a horizontal line.

David G. Estudillo
United States District Judge

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